

**PLANNING AND ZONING COMMISSION
STAFF REPORT**

November 7, 2013



Rezoning case no. RZ 13-15: Grant Carrabba

CASE DESCRIPTION: a request to change the zoning classification from Residential District – 5000 (RD-5) to Planned Development District – Housing (PD-H)

LOCATION: 12.82 acres of land located east of the intersection of Thornberry and Bullinger Creek Drives

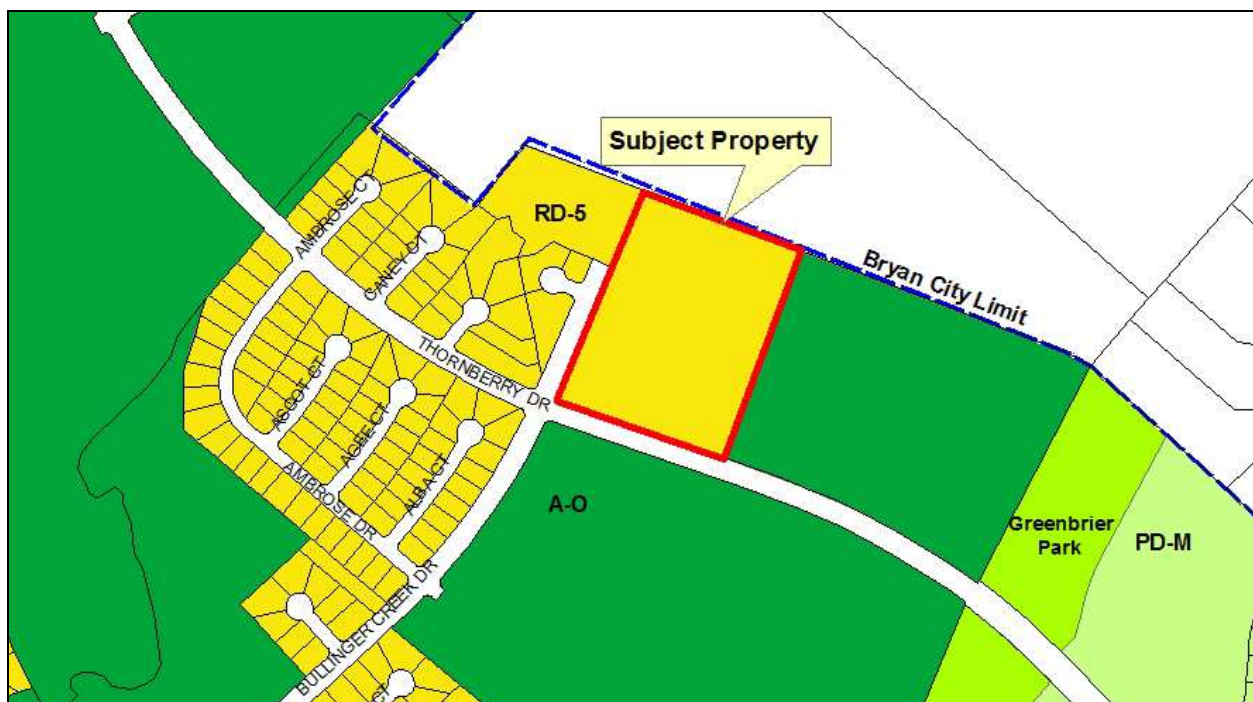
LEGAL DESCRIPTION: 12.82 acres of land out of John Austin League A-2

EXISTING LAND USE: vacant acreage

APPLICANT(S): Grant Carrabba

STAFF CONTACT: Randy Haynes, Project Planner

SUMMARY RECOMMENDATION: Staff recommends **approving** this rezoning request.



BACKGROUND:

The applicant/developer, Grant Carrabba, is requesting to change the zoning classification from Residential District – 5000 (RD-5) to Planned Development District – Housing (PD-H) on 12.82 acres of vacant land located east of the intersection of Bullinger Creek and Thornberry Drives. The applicant wishes to develop this land with a residential subdivision, specifically Phase 13 of Austin's Colony Subdivision. A master plan for Austin's Colony proposing a low-density residential development at this location was approved by the Planning and Zoning Commission on April 6, 2006.

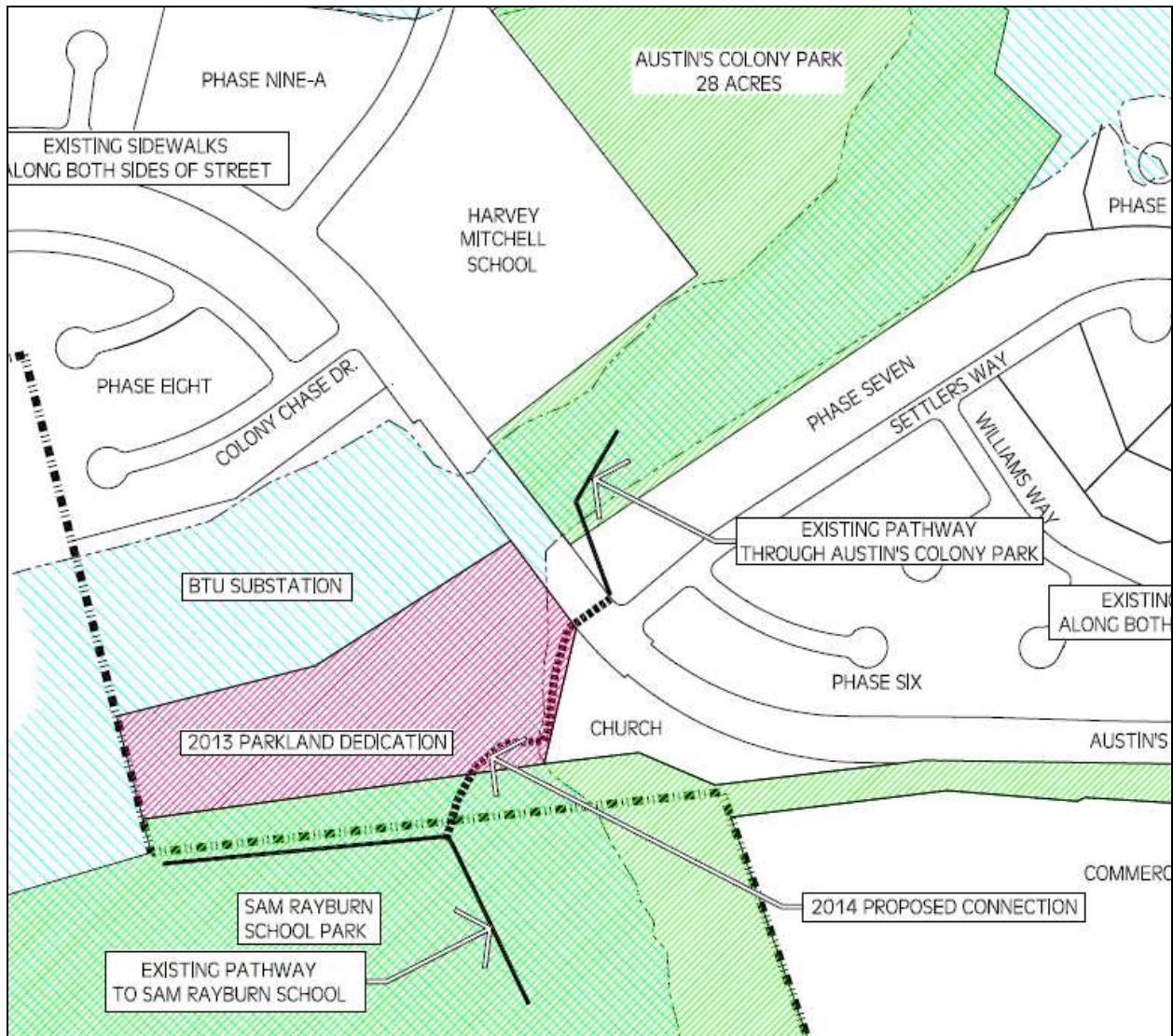
Earlier this year, the City Council approved a rezoning of this same acreage from Agricultural - Open District (A-O) to Residential District – 5000 (case no. RZ13-05). The developer now desires to rezone this property to a PD-H District, to allow development of the property in conformance with the developer's recently designed Austin's Colony Park Connectivity Master Plan, a copy of which is attached to this staff report.

From the beginning of development of Phase 1 in 1993, through Phase 7 in 2001, the Austin's Colony Subdivision was built with sidewalks generally on only one side of streets. In 2000, an amendment to the City of Bryan Subdivision Ordinance mandated that sidewalks be built on both sides of the street in all new or redeveloping subdivisions. Consequently, Phases 8 through 12 have been built in compliance with that requirement.

The applicant proposes to utilize a connectivity master plan for the remaining 195 acres of the Austin's Colony Subdivision, to permit construction of public walkways on only one side of the street within this master planned residential subdivision. Adoption and implementation of the proposal would allow resources normally invested to provide sidewalks along both sides of relatively short street sections to be targeted toward construction of off-site pedestrian facilities intended to enhance connectivity system-wide in existing and future phases of the subdivision. No changes to the range of allowed and potentially allowed land uses within this part of the Austin's Colony Subdivision are proposed with this PD-H District. The same land uses and development standards that generally apply to properties zoned RD-5 District, except for the variations described below, will be applicable within this PD-H District.

Through the developer's dedication of a vacant 8-acre tract as parkland, the immediate effect of the park connectivity master plan will provide the potential for off-roadway pedestrian connectivity within the Austin's Colony Subdivision. That 8-acre tract lies adjacent to both the Sam Rayburn and Earl Rudder school campuses and the 10-acre Austin's Colony Greenbelt. The 8-acre tract is also located directly across Austin's Colony Parkway from the 28-acre Austin's Colony Park.

DETAIL OF 8-ACRE CONNECTING TRACT:



Another feature of the Austin's Colony Park Connectivity Master Plan is the applicant's proposal to construct a 775-foot long, 10-foot wide multi-use path across a portion of 8-acre parkland tract, to provide direct connectivity between existing trails within the Austin's Colony Park and the Sam Rayburn School Park.

At this time, the developer is proposing to only rezone the 12.82 acres of land that are planned to be subdivided into Phase 13 of the Austin's Colony Subdivision to PD-H District, in accordance with the Austin's Colony Park Connectivity Master Plan, which will become part of the ordinance regulating development on this acreage. Rezoning requests for future phases of the Austin's Colony Subdivision will be made when those tracts are proposed to be developed with residential home sites. Those future subdivision phases will then be similarly designed in conformance with the park connectivity master plan.

A Planned Development District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts. While greater flexibility is given to allow special conditions that vary from normal standards, the Planning and Zoning Commission should weigh the benefits of each proposal

against those that would be produced by adhering to the standard development regulations to ensure against misuse of increased flexibility.

RELATION TO BRYAN'S COMPREHENSIVE PLAN:

The City of Bryan adopted a new Comprehensive Plan in January 2007. The plan includes policy recommendations related to the various physical development aspects of the community. In the section concerning transportation, the Comprehensive Plan states:

The City of Bryan has great potential to increase bicycle transportation with its sizeable bicycling population and active bicycle advocacy groups. Bicycle routes, lanes and trails have the ability to provide links between residential areas and destinations throughout the city.

GOAL #1: PROVIDE A SAFE, EFFICIENT AND CONVENIENT MULTI-MODAL TRANSPORTATION SYSTEM

Objective C) Encourage utilization of alternative modes of transportation including transit, bicycles and pedestrians.

***Action Statement 1:* Review and update current ordinances to ensure that new development provide sidewalks and bicycle accommodations with direct connections to residential, schools, commercial, and recreational areas and to transit stops.**

ANALYSIS:

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission shall consider the following factors.

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned; relationship to general area and the City as a whole.

The proposed development plan includes no changes to allowed land uses. Staff believes that the proposed arrangement of public park connectivity by multi-use path facilities throughout the Austin's Colony Subdivision will support the orderly urban growth in this part of Bryan and provide an amenity that current and future residents will get to enjoy.

2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area and shall note the findings.

Staff believes that the proposed layout of sidewalks within this proposed PD-H District will provide an adequate transportation network for pedestrians. Through the dedication of additional parkland to "close the gap" between Sam Rayburn School Park and Austin's Colony Park and the construction of a 10-foot wide multi-use path, staff contends that that the proposed development will ultimately be of greater benefit to the public than would be produced by adherence to conventional standards for sidewalk construction.

3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.

The subject property lies in close proximity to a considerable amount vacant land that could potentially be zoned and used for residential development. Staff believes that the change of standards proposed within the development plan, if approved, will not make land classified for similar development in the vicinity and elsewhere in the City unavailable for development.

4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.

Staff contends that residential developments are developing at a moderate pace in this general vicinity and elsewhere in the City.

5. How other areas designated for similar development will be, or are unlikely to be affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.

If the proposed PD-H District were approved, staff believes there to be few if any effects on other areas designated for similar developments.

6. Any other factors affecting health, safety, morals, or general welfare.

Staff is unable to discern any other factors related to this rezoning request that will adversely affect health, safety, morals, or general welfare. Staff contends that the proposed arrangement of pedestrian facilities at this location will support orderly urban development in this part of Bryan.

In addition, the Planning and Zoning Commission shall not approve a planned development if it finds that the proposed planned development does not conform to applicable regulations and standards established by Section 130-125 of the Zoning Ordinance:

1. Is not compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features, within the standards established by this section.

The proposed PD-H District zoning includes no changes land uses already permitted in the property's current RD-5 zoning classification with respect to building scale, bulk, height, setbacks. The proposed development plan will reduce impervious cover throughout the remaining phases of the Austin's Colony Subdivision thereby reducing future public maintenance responsibilities. Staff believes that the proposed use and development of this property for a single-family residential subdivision phase should have no adverse impacts on nearby properties or the City as a whole.

2. Potentially creates unfavorable effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of this section.

Staff is unable to identify any potentially adverse effects or impacts on other existing or permitted uses on abutting sites that cannot be mitigated by the provisions of the proposed PD-H District.

3. Adversely affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area.

Staff contends that the proposed development will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity. The proposed layout of road and pedestrian walkways can reasonably be expected to provide for adequate and safe traffic circulation on the subject property and the Austin's Colony Subdivision in general.

4. Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs.

Staff contends that the proposed development will not adversely affect adjacent properties by inappropriate lighting, or types of signs. Allowable signage in residential districts is purposefully restricted. Signage in this residential subdivision advertising, for example, a home occupation, is limited to a 1 square foot sign mounted to the front of the main building.

5. Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.

Staff contends that the proposed development will reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts, in conformance with applicable city ordinances.

6. Will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, for reasons specifically articulated by the commission.

Staff is unable to discern any additional detrimental impacts not already identified in this staff report.

RECOMMENDATION:

Staff recommends **approving** the proposed zoning of these 12.82 acres to Planned Development – Housing District (PD-H), as requested.